

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

PAN AMERICAN AIRWAYS, CORP.,

Plaintiff/Counterdefendant,

v.

Civil Action No.
04-10515JLT

ROBERT E. BARNES,

Defendant/Counterplaintiff.

**Plaintiff/Counterdefendant's
Motion for Partial Summary Judgment**

As directed by the Court's Scheduling Order dated May 16, 2005, Docket Instrument ("DI") #36 the plaintiff/counterdefendant Pan American Airways, Corporation ("Pan Am") hereby moves for partial summary judgment on Counts I through IV of the counterclaims filed herein by defendant, Robert E. Barnes ("Barnes"). In support of this motion, Springfield relies upon the accompanying declaration of Eric H. Lawler as well as a memorandum of reasons with accompanying exhibits.

Pursuant to Rule 7.1(A)(2) of the Rules of this Court, counsel hereby certifies that he and counsel for the defendant/counterplaintiff have conferred and attempted in good faith to resolve or narrow the issues presented by this motion, but without success.

REQUEST FOR ORAL ARGUMENT

Pursuant to Rule 7.1(D) of the Rules of this Court, the plaintiff/counterdefendant hereby requests oral argument of this motion, which the Court has scheduled for August 24, 2005 at 10:00 a.m.

Respectfully submitted,



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